

Long-Term Incarceration: Issues of Science, Policy and Correctional Practice

With growing public concern about victimization and its impact on individuals, families and communities, it is not surprising that politicians, criminal justice officials and a substantial majority of the public in Western nations favour greater use of long prison terms.⁽¹⁾ Incarceration has been the primary response to serious crime in North America for nearly two centuries. And while the effectiveness of punitive sanctions in altering criminal behaviour has been questioned for centuries, public policy has focused almost exclusively on manipulating the swiftness, certainty and severity of criminal punishment. Moreover, enhancing the swiftness and certainty of punishment has proven to be difficult, if not elusive, so policy makers have made ready use of the severity component of the equation to demonstrate that they are "tough on crime."

Long-term incarceration is a major factor in the explosion of the American prison population in the last 15 years. The dramatic and unprecedented growth in state and federal prison populations in the United States during that period has been fuelled by increases in both the proportion of convicted offenders who are sentenced to prison terms and the length of such terms.⁽²⁾ Legislative "reforms" such as mandatory sentence laws, habitual offender statutes and sentence enhancements directed at gun-related and drug-related crimes have driven prisoner populations to historic levels. As a result, appropriations for correctional activities have been the fastest-growing segment of state government spending during most of the 1980s in the U.S.⁽³⁾

What has this frenetic legislative activity and public spending wrought? In this article, I examine what we have learned about long-term imprisonment in terms of science, policy and correctional practice. I argue that during the last two decades science has stripped long-term imprisonment of much of its mythical quality. Much of what we believed to be true about the impact of long-term incarceration has not been documented by penological researchers. From the standpoint of policy development, correctional agencies have neither anticipated nor responded to the challenge of increasing long-term inmate populations. Finally, innovations in correctional practice related to the management of long-term prisoners have been isolated, hesitant and piecemeal. Despite these shortcomings, however, we have developed a knowledge base on long-term incarceration which is sufficient to serve as the foundation for enlightened policy and innovative correctional practice.

Definitional Concerns There is no uniform definition of long-term incarceration. Definitions vary substantially over time and place. The lengthy prison terms being handed out in American courts today would have been appalling in colonial courts and are substantially longer than contemporary prison sentences in other countries. Even within a single country, substantial variation exists in population-based imprisonment rates, in the average length of prison terms and in the composition of institutional populations. In the U.S., for example, some states have responded to the pressure on state prison resources by creating an enormous backlog of convicted felons awaiting transfer to state prisons who remain "backed up" in local jails. In some instances, convicted offenders reach parole eligibility before they are transferred to the state prison system!⁽⁴⁾ In other states, relief valves at the other end of the correctional system, such as emergency-release mechanisms, accelerated good-time and parole policies and other practices, have actually reduced the average time served among state prisoners in recent years.⁽⁵⁾

Nearly 15 years ago, I felt confident in adopting a criterion of five years of continuous confinement to define long-term imprisonment. Five years was more than twice the average time served in state prisons in the U.S., and only 12% of the state prisoner population in 1974 had actually served five years or more.⁽⁶⁾ Ten years later, other investigators defined long-term incarceration as seven years.⁽⁷⁾ Given that the average prison sentence for violent felonies handed out in American state courts in 1988 ranged from 90 to 238 months, one could argue that, today, an expected time served of at least eight to 10 years would qualify a U.S. prisoner as a long-term inmate.⁽⁸⁾ Compositional Changes In addition to such growth in size that the **scale** of long-term incarceration is fundamentally different today from a decade ago, some researchers have speculated that changing crime patterns and sentencing laws would alter the **nature** of long-term prisoner populations. Twenty-five years ago, the typical long-term inmate in a U.S. state correctional facility was a white, male offender convicted of homicide, rape or robbery, with little criminal experience, no substantial history of illegal drug use and little propensity for violence in prison. In contrast, the attributes of today's long-term prisoner differ markedly. Some studies have suggested that changes in the composition of the long-term prisoner group have been subtle.⁽⁹⁾ However, a recent study of compositional changes in the prisoner population from 1956 to 1989 in New York State revealed that the long-term inmate subgroup had become more homogeneous in offence (higher percentage of homicide offenders), more heterogeneous in terms of race and ethnicity, more violent (in terms of present and previous offences) and more enmeshed in drug abuse.⁽¹⁰⁾ Several of these characteristics suggest that the "new breed" of long-term prisoner would present heightened security concerns within the prison. The Science of Adaptation and Adjustment As I mentioned earlier, social-scientific investigations of long-term imprisonment have stripped the topic of much of its mythology. The mythology or conventional wisdom of long-term incarceration, often repeated at professional meetings and among correctional staff, focused on two primary themes. The first theme held that, over time, such prisoners suffered inevitable deterioration of physical and mental health. The second theme of the conventional wisdom was the notion of the long-term prisoner as a model inmate. That is, many correctional workers contended that long-term prisoners were a stabilizing, predictable and largely rule-abiding group within the prison.

The deterioration theme was based on several foundations, including early research on "prison psychoses." The primary contention of this assumption was that after extended exposure to highly regimented, unisexual prison life with limited stimuli, the long-term prisoner would lose the ability to function as an effective, active person. These studies documented symptoms such as flatness of affect (emotion), diminished ability to concentrate, "barrier effects" in time perception and others which suggested that the grinding effects of the prison environment exacted a great toll on the well-being of long-term prisoners.⁽¹¹⁾

With few, isolated exceptions, social scientists have been unable to document these presumed deleterious "effects" of long-term incarceration. A spirited debate has ensued among social scientists about the sensitivity and relevance of measures used in prison research.⁽¹²⁾ However, the consensus of findings of increasingly rigorous research suggests that no systematic or predictable effect of long-term imprisonment exists. As Toch has aptly observed, "paradoxically, some men flourish in this context. Weaklings become substantial and influential, shiftless men strive and produce; pathetic souls sprout unsuspected resources."⁽¹³⁾ Perhaps the most rigorous research on this topic has been conducted by Zamble, whose study of Canadian long-term inmates' adjustment over seven years concluded: perhaps

the most striking general result is in the total *lack* of any evidence for general or widespread deteriorative effects. [Long-term inmates] did not become social isolates in the prison, and neither did they lose contact with the outside world. They did not adapt in ways that would make it more difficult for them to cope on the outside. Most did not sink into despair or rebellion, but rather their emotional states, health and conduct in the institutions all improved over time, and there was some evidence for improved coping abilities as well.⁽¹⁴⁾

The "model inmate" view of long-term prisoners is based on the assumption that these offenders are older and more mature than their younger short-term counterparts, accrue substantial experience in the prison environment, develop functional relationships with correctional staff and have a stake in maintaining the status quo within the prison. This view of long-term prisoners has been supported in several studies which reported substantially lower rates of involvement in institutional rule violations among long-term offenders than short-termers.⁽¹⁵⁾ However, a recent large-scale study by Toch and Adams calls these findings into question: they reported that at least younger long-term inmates in the early stages of their prison sentences had relatively high rates of prison rule violation.⁽¹⁶⁾

A careful reading of the literature on prison adjustment and adaptation by long-term prisoners leads to the conclusion that generalization is dangerous. On some measures of prisoner adjustment, the research suggests that long-term prisoners, **as a group**, may be better adjusted to the demands of the prison environment than are other prisoners. However, the group average masks substantial differences in **individual responses** to confinement. In fact, the development of our knowledge on adaptation and adjustment among long-term inmates is reminiscent of the debate about the deprivation model and the importation model of prisoner adjustment. After years of research which sought to determine which theoretical model best explained prisoner adjustment, rigorous research revealed that neither model alone was sufficient to explain variation in prisoner behaviour. Instead, elements of both models, and other factors, are important to understanding prisoner adjustment.⁽¹⁷⁾ For correctional policy and practice, the most important implication of this development is that unitary prescriptions for managing long-term prisoner populations are doomed to failure if they fail to account for the variety that exists within this group. Correctional Policy and the Long-Term Prisoner For most of the history of institutional corrections, correctional policy makers put long-term prisoners at the bottom of the list of priorities. There are several reasons for this neglect. First, the heinous crimes and substantial previous records that accompany long-term offenders to prison make them poor candidates for innovative or experimental programs and policies; the general public is believed to be unreceptive to progressive efforts that involve these serious offenders, and the risk and subsequent cost of failure is high. Accordingly, the informal norms and formal policies of many correctional agencies exclude long-term prisoners from participation in programs such as educational release, furloughs and even transfer to specific facilities.⁽¹⁸⁾

The second reason for this last-in-line view of long-term inmates relates to the distribution of scarce program resources within correctional agencies. Because long-term prisoners' needs in terms of release are less immediate than those of other prisoners, correctional administrators have traditionally withheld these program opportunities until the possibility of release approaches.

As a result of this "cold-storage model" of resource allocation, the only opportunity within the prison viewed as appropriate for long-term prisoners has been assignment to correctional industry programs.

Since long-term inmates are felt to be more responsible and better-behaved prisoners, and many long-termers gravitate to industry positions to earn money and use their time productively, the attractiveness of longtermers as a stable and durable work force to prison officials is apparent. The principal problem with this approach is that opportunities in correctional industry programs have not kept pace with the growth in inmate populations. Today, there are many more inmates than industrial job opportunities in American prisons.⁽¹⁹⁾

Perhaps the only real correctional-policy debate concerning long-term inmates is the controversy about concentration versus dispersal. Some researchers argue that dispersing long-term prisoners, who are stable, mature and responsible, among the general prisoner population, reduces inmate misconduct and provides positive role models to other inmates for "how to do time."⁽²⁰⁾ On the other hand, research suggests that the environmental needs of many long-term prisoners, especially older persons, are different from those of young, aggressive, rowdy short-term offenders, and that involuntary mixing of these groups makes it difficult for long-term prisoners to do time.⁽²¹⁾ In addition, grouping prisoners by age or sentence length would allow specialized programming and services (e.g., health service) to be tailored to the needs of the population.

Most large, state correctional systems in the U.S. have, in reality, pursued a policy of grouping, because inmate-classification systems, designed to assign incoming prisoners to facilities, have always placed a strong emphasis on sentence length which has universally been equated with a presumed need for maximum-security custody. In some states, these classification systems have broken down under the crush of unprecedented rates of new admissions, but it remains the case that most large states have one or more old, walled, fortress-like prisons where long-term prisoners can be found.

I have argued that correctional agencies need to develop explicit, goal-directed, research-based policy statements concerning the management of long-term inmates.⁽²²⁾ These statements must recognize that the policy options for this group are constrained but that much can still be accomplished. In my view, the overriding goal of long-term prisoner management must be to minimize the potential secondary effects of confinement. These secondary effects were articulated by Gresham Sykes 35 years ago as the "pains of imprisonment."⁽²³⁾ To counter the deleterious effects of incarceration, we must focus on objectives such as creating opportunities for institutions and communities to interact for the good of both, creating opportunities within prisons for inmates to contribute to their communities and encouraging long-term prisoners and their families to maintain supportive relationships. Policies directed toward minimizing these secondary effects of confinement are not intended to coddle these serious offenders, nor are they a panacea for the treatment of serious criminals. Instead, they amount to a policy objective of humane containment for such offenders and represent a reasonable, defensible and worthwhile goal for correctional agencies. Programs and Practices In the U.S., the development of correctional programs oriented to the problems, needs or preferences of long-term prisoners has been minimal. Programs that have been attempted have been insubstantial, limited in scope and poorly documented. Virtually no information has been exchanged across state boundaries, so the few program efforts to date have not been replicated.

The oldest and best-known long-term programs are the lifers' clubs and similar organizations within

prisons. These groups adopt one or more customary orientations. Many are support groups, in which persons with mutual interests come together to pursue common aims, such as legislative reform and the communication of members' needs to organizational hierarchies.

Some long-term prisoner organizations evolve as "prison preventer" groups, with the principal objective of educating youth. Others take on a community-service role and serve the needs of the prison community or the surrounding community. Both the Life Servers program in the Warkworth Institution, in Ontario, and the LongTermers Program at the Utah state prison in the U.S. have such a community-service orientation.⁽²⁴⁾ A national assessment of long-term prisoner programming conducted by the National Institute of Corrections in 1985 uncovered a handful of small, narrowly focused programs for long-term prisoners in U.S. prisons.⁽²⁵⁾ In each case, the development of the program could be traced to the inmates themselves or to the efforts of a single, supportive staff person within the institution.

After reviewing these and other efforts, I suggested that to garner support for long-term inmate programs within prison systems, these programs should focus on public service and have an external advisory board, supportive staff linkages, limited enrollment and minimal capital costs. In addition, it is important that programs involving long-term prisoners not be competitive with any private-sector interests and that they involve volunteers from outside the institution. Finally, many long-term prisoner programs provide what Toch calls "sanctuary," or respite from the general inmate population in a well-defined place, in which relaxed, natural relationships with staff and inmates can develop.⁽²⁶⁾ Cowles and Sabbath developed several programs based on these features within the Missouri correctional system. An important feature of their work was that program development flowed from a comprehensive needs assessment conducted with long-term prisoners.⁽²⁷⁾ Their work indicates that innovative programming for long-term inmates is possible.

Long-term prisoners are perhaps most different from other inmates in that much of their adult, working lives will be spent in the correctional system. As a result, planning constructive use of their time demands a long-range approach. This career-planning concept is very different than the objective-oriented, skills-based approach that is taken with short-term prisoners. Hans Toch introduced the concept of career planning for long-term inmates, and I have suggested that: it is incumbent on correctional systems to work with the offender to plan a worthwhile career, one that will be beneficial to both the offender and others, and that will be transferable, and capable of supporting the offender upon his/her eventual release. Moreover, there is no reason why, during their long imprisonment, many long-term inmates cannot make a substantial contribution to society through help provided to other inmates.⁽²⁸⁾ Mutually beneficial experiences such as these have been described by Toch and Adams.⁽²⁹⁾ They contend that such experiences build coping abilities among disruptive prisoners.

In my judgment, the most impressive effort to take a comprehensive, organized and coherent approach to long-term inmate programming, to date, is the Revised Strategy adopted by the British Home Office. Barry Mitchell has carefully documented the implementation of the strategy in his book *Murder and Penal Policy*.⁽³⁰⁾ The Revised Strategy is a set of policies that incorporates the career-planning model for long-term inmates in a system-wide fashion. Mitchell reported that the Revised Strategy was adopted in response to increases in the number of life-sentence prisoners. It is based on principles which include:

- treating long-term prisoners as a **separate** group with unique needs, but integrating long-termers with other prisoners;
- recognizing the heterogeneity of the long-term population;
- providing life-sentence prisoners with a sense of purpose and direction;
- career planning, involving goal setting, revision and progression;
- using a variety of physical settings within the prison system; and
- being flexible rather than rigid in security designation.

Mitchell observed that "a crucial factor in the success of the Revised Strategy is the extent to which lifers are motivated to use their sentence constructively." He reported that there were many impediments to effective implementation of the policy, including resentment among long-termers of their compulsory integration with short-term inmates and the need to change staff attitudes toward these offenders. The long-term experience of the Home Office with the Revised Strategy certainly bears watching, since it represents the first comprehensive effort on the part of a major correctional agency to take an integrated approach to long-term prisoner management. Directions and Information Needs Fifteen years ago, Hans Toch gave an address, titled "The Long-term Prisoner as a Long-term Problem," at a Canadian conference on long-term incarceration.⁽³¹⁾ The challenge of long-term prisoner populations loomed in the 1970s, is upon us in the 1990s and will certainly increase in the years to come. As with the inevitable process of aging, it is futile to deny reality. Common sense requires that we fashion plans to address the inevitable consequences.

Many aspects of long-term inmate management need urgent attention and development. Three of these, intended to be illustrative rather than exhaustive of the implications of long-term incarceration, are: the broad-based effects of an aging prisoner population, the impact of long-term confinement on female inmates and the community reintegration of long-term inmates.

Among correctional administrators, an aging prisoner population is perhaps the most widely recognized consequence of the growing long-term inmate population. The fiscal impact of an aging prison population on medical services alone is staggering.⁽³²⁾ In addition, the physical characteristics of prisons present a formidable challenge for aging offenders. Except in the newest facilities, access and mobility for individuals with disabilities is a nightmare in prisons. One correctional administrator remarked that the prospect of managing a correctional institution which contained persons with Alzheimer's Disease was virtually inconceivable. Studies suggest that imprisonment does not systematically damage the physical health of inmates, but inmate populations will not escape the inevitable consequences of aging. As has been the case with the AIDS problem in corrections, states may have to consider early release via "mercy parole" mechanisms or face the mounting costs of treating these patients within the prison.

Female long-term inmates are a special case because few correctional systems are large enough to provide the variety of facility settings and programs to serve the needs of this population. Genders and Player described the "feelings of claustrophobia and despair generated by the miniature scale of the unit and the inevitable restrictions placed upon their freedom of physical movement" among women in the H-Wing at the Durham Prison in England.⁽³³⁾ Responding to the needs of female long-term prisoners in an intelligent and comprehensive manner may require multijurisdictional co-operation and planning.

Finally, despite the well-worn maxim that, eventually, nearly all prisoners will be released to the community, there is virtually no literature on the community reintegration of long-term prisoners. Popular literature is full of compelling images of released long-termers who are confused by modern technology and astounded by social and economic changes in society. Today's prisoners are far less isolated from popular culture and media than in the past, but there is cause for concern. Zamble and Porporino argue that there are few opportunities in the regimented world of the prison for inmates to practise mature, effective coping strategies, and that without these opportunities, the ineffective coping skills which contributed to their incarceration are not likely to improve.⁽³⁴⁾ This conclusion argues not only for a different prison experience but also for a rigorous, planned re-entry program, which should be founded on solid research that examines the important elements of successful community reintegration of long-term prisoners.

In sum, long prison sentences and the problems and needs of long-term inmates present extraordinary challenges for correctional administration. A new framework is required for understanding the role of prisons in a modern, criminal-justice system. Warehousing is not an option, because the human and fiscal costs of warehousing are unacceptably high. Improved management directed by ambitious goals is the preferred option for many reasons, including the fact that lessons learned in pursuit of better management of long-term prisons will advance the state of the art for the correctional system as a whole.

(1) See T. Flanagan and K. Jamieson (Eds.), *Sourcebook of Criminal Justice Statistics 1987*. (Washington, D.C.: United States Government Printing Office, 1988). See also S. Zimmerman, D. van Alstyne and C. Dunn, "The National Punishment Survey and Public Policy Consequences," *Journal of Research in Crime and Delinquency*, 25 (1988): 120-149.

(2) W. Chapman, *Commitments to Prison with Long Minimum Terms*. (Albany, N.Y.: Department of Correctional Services, 1985).

(3) S.D. Gold, "The Story Behind State Spending Trends," *Rockefeller Institute Bulletin*. (Albany, N.Y.: State University of New York, 1991) 4-6.

(4) K. Maguire and T. Flanagan (Eds.), *Sourcebook of Criminal Justice Statistics 1990*. (Washington, D.C.: United States Government Printing Office, 1991) 600. See also United States Department of Justice, Bureau of Justice Statistics, *Report to the Nation on Crime and Justice*, 2nd edition. (Washington, D.C.: United States Government Printing Office, 1988).

(5) Maguire and Flanagan, *Sourcebook of Criminal Justice Statistics 1990*, 664.

(6) United States Department of Justice, *Survey of Inmates of State Correctional Facilities 1984*. (Washington, D.C.: United States Government Printing Office, 1986).

(7) Correctional Services Group, *The Long-term Inmate Phenomenon: A National Perspective*. (Kansas City, Mo.: Correctional Services Group, 1985). See also D. MacKenzie and L. Goodstein, "Impacts of Long-term Incarceration and Characteristics of Long-term Offenders: An Empirical Analysis," *Criminal Justice and Behavior*, 12 (1985): 395-415.

(8) Maguire and Flanagan, *Sourcebook of Criminal Justice Statistics 1990*, 518.

(9) *Supra*, note 7.

(10) T. Flanagan, D. Clark, D. Aziz and B. Szelest, "Compositional Changes in a Long-term Prisoner

Population, 1956-89," The Prison Journal, 80 (1990): 15-34.

(11)*For a review, see T. Flanagan, "Lifers and Long-termers: Doing Big Time, in R. Johnson and H. Toch (Eds.), The Pains of Imprisonment (Beverly Hills, Ca.: Sage Publishing Co, 1982).*

(12)*See J. Wormith, "The Controversy Over the Effects of Long-term Incarceration," Canadian Journal of Criminology, 26 (1985): 423-437.*

(13)*H. Toch, Men in Crisis: Human Breakdowns in Prison. (Chicago, Ill.: Aldine Publishing Co., 1975).*

(14)*E. Zamble, "Coping, Behavior and Adaptation in Long-term Prison Inmates: Descriptive Longitudinal Results." Unpublished paper, Queen's University, 1992.*

(15)*T. Flanagan, "Time Served and Institutional Misconduct," Journal of Criminal Justice, 8 (1980): 357-367.*

(16)*H. Toch and K. Adams, Coping: Maladaptation in Prisons. (New Brunswick, N.J.: Transaction Press, 1989).*

(17)*For a comprehensive review of this research see K. Adams, "Adjusting to Prison: Stress, Coping and Maladaptation." (Carbondale, Ill.: Southern Illinois University, 1991).*

(18)*T. Flanagan, L. Travis, M. Forstenzer, M. Connors and M. McDermott, "Long-term Prisoner Project, Task Force Four: Rules and Regulations." (Albany, N.Y.: State University of New York, 1975).*

(19)*T. Flanagan and K. Maguire, "A Full Employment Policy for American Prisons: Some Estimates and Implications." (Albany, N.Y.: Hindelang Criminal Justice Research Center, 1991).*

(20)*See, for example, J. Mabli, C. Holley, C. Patrick and J. Walls, "Age and Prison Violence," Criminal Justice and Behavior, 6 (1979): 175-186.*

(21)*H. Toch, Living in Prison: The Ecology of Survival. (New York: Free Press, 1977).*

(22)*T. Flanagan, "Correctional Policy and the Long-term Prisoner," Crime and Delinquency, 28 (1982): 82-95.*

(23)*G. Sykes, Society of Captives: A Study of a Maximum Security Prison. (Princeton, N.J.: Princeton University Press, 1958).*

(24)*W. Palmer, "Programming for Long-term Inmates: A New Perspective," Canadian Journal of Criminology, 26 (1984): 439-458.*

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(27)*M. Sabbath and E. Cowles, "Using Multiple Perspectives to Develop Strategies for Managing Long-term Inmates," and "Addressing the Program Needs of Long-term Inmates," The Prison Journal, 80 (1990): 58-82.*

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(29)*Toch and Adams, Coping.*

(30)*B. Mitchell, Murder and Penal Policy. (New York: St. Martin's Press, 1990).*

(31)*H. Toch, "The Long-term Inmate as a Long-term Problem," in S. Rizkalla, R. Levy and R. Zauberman (Eds.), Long-term Imprisonment: An International Seminar. (Montreal: University of Montreal, 1977).*

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(33)*E. Genders and E. Player, "Women Lifers: Assessing the Experience," The Prison Journal, 80 (1990): 46-57.*

(34)*E. Zamble and F. Porporino, Coping, Adaptation and Behavior in Prison Inmates. (New York: Springer- Verlag, 1988).*